

RULEMAKING NOTICE FORM

Notice Number _____ Rule Number _____ Env-A 4700

1. Agency Name & Address:

Department of Environmental Services
29 Hazen Drive
P.O. Box 95
Concord, NH 03302-0095

2. RSA Authority:

RSA 125-O:8, I(c)-(g)

3. Federal Authority:

N/A

4. Type of Action:

Adoption

X

Amendment

Repeal

Readoption

Readoption w/amendment

5. Short Title: Carbon Dioxide (CO₂) Offset Projects

6. (a) Summary of what the rule says and the effect of the rule on those regulated:

The proposed rules establish the procedures and criteria for obtaining an award of carbon dioxide (CO₂) offset allowances as part of the Regional Greenhouse Gas Initiative (RGGI) in New Hampshire. RGGI is a cooperative effort by participating states to reduce emissions of CO₂, a greenhouse gas that causes global warming. The rules are designed to ensure that CO₂ offset allowances awarded represent CO₂ equivalent emission reductions or carbon sequestration that are real, additional, verifiable, enforceable, and permanent within the framework of a standards-based approach. Subject to the specified compliance deduction limitations, CO₂ offset allowances may be used by any CO₂ budget source for compliance purposes.

6. (b) Brief description of the groups affected:

The rules will affect any individual or entity that wishes to obtain an award of carbon dioxide (CO₂) offset allowances as part of the Regional Greenhouse Gas Initiative (RGGI) in New Hampshire.

6. (c) Specific section or sections of state statute or federal statute or regulation which the rule is intended to implement:

Rule Section(s)	State or Federal Statute or Federal Regulation Implemented
Env-A 4700	RSA 125-O:19-28

7. Contact person for copies and questions including requests to accommodate persons with disabilities:

Name: Joe Fontaine

Title: Trading Programs Manager

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The rules also can be viewed in PDF at

<http://des.nh.gov/organization/commissioner/legal/rulemaking/index.htm>

TTY/TDD Access: Relay NH 1-800-735-2964 or dial 711 (in NH)

8. Deadline for submission of materials in writing or, if practicable for the agency, in the electronic format specified: **Tuesday, February 17, 2009, at 4 p.m.**

☒ Fax

☒ E-mail

☐ Other format (specify):

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9. Public hearing scheduled for:

Date and Time: **Wednesday, February 4, 2009, at 1:00 p.m.**

Place: **Rooms 111-112, DES offices, 29 Hazen Drive, Concord, NH 03301**

10. Fiscal Impact Statement (Prepared by Legislative Budget Assistant)

FIS # 08:275 , dated 12/22/08

See Attached.

11. Statement Relative to Part I, Article 28-a of the N.H. Constitution:

The proposed rules do not create, expand, or modify any program or responsibility in such a way as to necessitate additional local expenditures by political subdivisions. The rules thus do not violate Part I, Article 28-a of the New Hampshire Constitution.